

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

LEE HAMILTON,

Petitioner,

v.

THE STATE OF TEXAS,

Respondent.

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Civil Action No. **3:21-CV-3181-L-BT**

ORDER

On December 30, 2021, the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 5) was entered, recommending that the court dismiss without prejudice Petitioner Lee Hamilton’s pro se Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 for failure to exhaust state court remedies. Also before the court is Petitioner’s Motion to Proceed In Forma Pauperis (Doc. 4), filed December 16, 2021. No objections to the Report were received as of the date of this order, and the deadline for filing objections has expired.

Having considered the Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (Doc. 3), the file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **dismisses without prejudice** this habeas action for failure to exhaust state court remedies. In addition, the court **denies as moot** Petitioner’s Motion to Proceed In Forma Pauperis (Doc. 4).

It is so ordered this 28th day of January, 2022.


Sam A. Lindsay
United States District Judge